

ated further in that artificial color and acid and, in the case of the cherry-apple jelly, artificial flavor had been added thereto so as to make them appear better or of greater value than they were.

Misbranding was alleged in that the following statements were false and misleading when applied to articles containing added acid and artificial color and, in the case of the cherry-apple jelly, artificial flavor: "Pure Apple Jelly," "Pure Apple-Strawberry Jelly," and "Pure Cherry-Apple Jelly." They were alleged to be misbranded further in that they contained artificial coloring and, in the case of the cherry-apple jelly, artificial flavoring; and the labeling did not state those facts.

On April 26, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the articles be delivered to charitable institutions for their own use.

**658. Adulteration of orange jelly. U. S. v. 25 Cases of Orange Jelly. Default decree of condemnation and destruction. (F. D. C. No. 1565. Sample No. 90738-D.)**

Examination showed that this product contained excessive mold, indicating the presence of decomposed material.

On March 9, 1940, the United States attorney for the Eastern District of Washington filed a libel against 25 cases, each containing 24 jars, of orange jelly at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about November 19, 1939, by Val Vita Food Products, Inc., from Fullerton, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The product was labeled in part: "Pure Orange Jelly Calbart Brand."

On April 29, 1940, no claimant having appeared, a decree of condemnation was entered and it was ordered that the product be destroyed.

**DRIED FRUITS**

**659. Adulteration of dried prunes. U. S. v. 21 Cases of Dried Prunes. Default decree of condemnation and destruction. (F. D. C. No. 1530. Sample No. 90740-D.)**

This product was in interstate commerce at the time of examination and was found to be insect-infested in whole or in part at that time.

On or about February 26, 1940, the United States attorney for the Eastern District of Washington filed a libel against 21 cases of dried prunes at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about May 11, 1939, by Rosenberg Bros. & Co. from Oakland, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Roundup Brand Santa Clara Prunes \* \* \* Packed for Roundup Grocery Co., Spokane, Wash."

On April 10, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**660. Adulteration of prunes and raisins. U. S. v. 29 Cartons of Prunes and 17 Cartons of Raisins. Default decree of condemnation and destruction. (F. D. C. Nos. 1062, 1063. Sample Nos. 83101-D, 83102-D.)**

These products were in interstate commerce at the time of examination and were found to be insect-infested and decomposed at that time.

On or about December 7, 1939, the United States attorney for the Northern District of Florida filed a libel against 29 cartons, each containing 25 pounds of prunes, and 17 cartons, each containing 48 packages of seedless raisins, at Marianna, Fla., alleging that the articles had been shipped in interstate commerce on or about September 9 and October 7, 1938, by the California Packing Corporation from San Francisco, Calif.; and charging that they were adulterated in that they consisted in whole or in part of filthy and decomposed substances. The articles were labeled in part: "Sun Kist Santa Clara Prunes"; "Sun-Kist Brand Sun Dried Natural Seedless Raisins."

On April 6, 1940, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**661. Adulteration of raisins. U. S. v. 12 Boxes of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 1017. Sample No. 82969-D.)**

This product was in interstate commerce at the time of examination and was found to be in whole or in part insect-infested at that time.

On or about November 27, 1939, the United States attorney for the Northern District of Florida filed a libel against 12 boxes of raisins at Panama City, Fla., alleging that the article had been shipped in interstate commerce on or about February 2, 1939, by Sunland Sales Cooperative Association from Fresno, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Seedless Raisins \* \* \* Sun-Maid Raisin Growers of California."

On April 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**662. Adulteration and misbranding of raisins. U. S. v. 27 Cases of Layer Raisins. Default decree of condemnation and destruction. (F. D. C. No. 1279. Sample No. 73126-D.)**

This product was in interstate commerce when examined and was found to be insect-infested at that time. Moreover, the packages were short of the declared weight.

On January 2, 1940, the United States attorney for the Western District of Washington filed a libel against 27 cases, each containing 20 packages, of layer raisins at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 28, 1939, by El Mar Packing Co. from San Francisco, Calif.; and charging that they were adulterated and misbranded. The product was labeled in part: "Cal-Ray Brand Layer Raisins."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance.

The article was alleged to be misbranded in that the statement on the label, "Net Weight 15 Ozs.," was false and misleading since it was incorrect. It was alleged to be misbranded further in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents.

On March 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## MEAT AND MEAT PRODUCTS

### HORSE MEAT

**663. Adulteration of horse meat. U. S. v. 22 Barrels, 4 Cans, and 4 Washtubs (7,700 Pounds) of Horse Meat. Default decree of condemnation and destruction. (F. D. C. No. 1409. Sample No. 86341-D.)**

Examination of this shipment showed that it contained meat of horses that had died otherwise than by slaughter.

On January 26, 1940, the United States attorney for the District of New Jersey filed a libel against 7,700 pounds of horse meat at Newark, N. J., alleging that the article had been transported in interstate commerce on or about January 17, 1940, from the plant of Charles H. Lang, Briggs Station, N. Y., by Benny Braverman of Newark, N. J.; and charging that it was adulterated in that it was in whole or in part the product of an animal which had died otherwise than by slaughter.

On March 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### POULTRY

**664. Adulteration of dressed poultry. U. S. v. 4 Barrels of Dressed Poultry. Default decree of condemnation and destruction. (F. D. C. No. 1830. Sample No. 10497-E.)**

Examination showed the presence of diseased birds in this lot of poultry.

On April 19, 1940, the United States attorney for the Southern District of New York filed a libel against four barrels of dressed poultry at New York, N. Y., alleging that it had been shipped in interstate commerce on or about April 10, 1940, by the Millsboro Poultry Co., Inc., from Millsboro, Del.; and charging that it was adulterated in that it was in whole or in part the product of diseased animals, or of animals that had died otherwise than by slaughter.

On May 9, 1940, no claimant having appeared, a decree of condemnation was entered and the product was ordered destroyed.

**665. Adulteration of dressed poultry. U. S. v. 900 Pounds and 3 Barrels of Dressed Poultry. Default decrees of condemnation and destruction. (F. D. C. Nos. 1622, 1820. Sample Nos. 10403-E, 10496-E.)**

Examination of this poultry showed the presence of diseased birds in both shipments and of rodent-eaten birds in one shipment.